



THE STATE BAR OF CALIFORNIA COMMITTEE OF BAR EXAMINERS/OFFICE OF ADMISSIONS

180 Howard Street • San Francisco, CA 94105-1639 • (415) 538-2303
1149 South Hill Street • Los Angeles, CA 90015-2299 • (213) 765-1500

INFORMATION FOR UNSUCCESSFUL APPLICANTS JULY 2003 GENERAL BAR EXAMINATION AND ATTORNEYS' EXAMINATION

GRADE INFORMATION

If you took the General Bar Examination, your result letter includes your raw Multistate Bar Examination (MBE) subscores, your total raw (number of items correct) and scaled MBE scores, your raw scores on the eight parts of the written test, your total raw and scaled written scores, and your total scaled score.

The General Bar Examination consists of two sections: the written section including six essays and two performance tests (PT), and the 200-item MBE. An applicant can earn up to 100 raw points on each of six essays and up to 200 raw points on each PT. Scaled MBE scores are reported on a 2000-point scale. Scores on the written portion of the exam are scaled to the MBE and reported on a 2000-point scale. The written section is 65% of the total, the MBE is 35% of the total.

To pass the examination after one reading, an applicant must achieve a total scaled score of 1466 or above. To pass the examination after two readings, an applicant must achieve an average total scaled score of 1440 or above.

If you took the Attorneys' Examination, your letter includes your raw scores on the eight parts of the written test, your total raw score, and your total scaled score.

The Attorneys' Examination consists of the six essays and two PTs from the General Bar Examination. An applicant can earn up to 100 raw points on each essay and up to 200 raw points on each PT. Written scores are scaled to the MBE. To pass the examination after one reading, an applicant must achieve a total scaled score of 1466 or above. To pass the examination after two readings, an applicant must achieve an average total scaled score of 1440 or above.

The examinations are graded using a phased grading procedure. In Phase I, all parts of the examination are graded (essay, MBE, and PTs). Examinations with total scaled scores of 1466 and above pass, those with total scaled scores less than 1390 fail, and those with total scaled scores of at least 1390 but less than 1466 proceed to Phase II.

In Phase II, the essays and PTs are read a second time. The scores from the first and second readings are averaged, and those with averaged total scaled scores of 1440 and above pass, while those with averaged total scaled scores below 1412 fail. **Only the final averaged grade given to each written part of the examination is released to unsuccessful applicants.** This is the grade used by the Committee of Bar Examiners (Committee) in its final decision. Since the single-read grades from which the averaged grade is derived are only a portion of the method used to calculate the final grade, they are not subject to disclosure. To ensure the accuracy of the averaging process, each score assigned to each written answer submitted by an applicant is cross-checked to eliminate error. Readers submit all grades in duplicate: one entry is processed manually; the other is entered directly into the data processing system. The manually recorded scores are then verified against the computer reports to ensure accuracy. Only then are final grades generated.

If after two readings the averaged total scaled score is at least 1412 but less than 1440, or if the applicant received a single read total scaled score of at least 1440 but less than 1466, that applicant's examination is automatically sent to reappraisal, where a member of the Board of Reappraisers reviews the entire examination and determines whether it merits a pass or fail. The scores reported to applicants whose examinations were reappraised are the averaged scores after the first two readings.

Throughout the grading process, at least four decimal places are carried in all computations, and scores are not rounded before grading decisions are made. For example, a computed total score of 1439.9999 after Phase II is less than the 1440 required to pass and would not be rounded further before concluding that the applicant did not pass. Similarly, a total score of 1411.9999 is less than the 1412 needed to entitle the applicant's examination to a reappraisal and a total scaled score of 1465.9999 is less than the 1466 necessary for an applicant to pass after Phase I.

These procedures are designed to make grading decisions consistent and fair. Consequently, the Committee will not entertain petitions for reconsideration based upon rounded score scenarios. Instead, it is the reappraisal process that provides an automatic review of those examinations close to the pass line.

To confirm your scores:

$$\text{Scaled MBE score} = (8.5632)(\text{MBE raw}) + 319.2567$$

$$\text{Scaled written score} = (2.8193)(\text{Written raw}) - 350.5368$$

If your answers were read twice, your scaled written score is the average of your first and second read scaled written scores.

Total scaled score:

If you took the General Bar Examination: Multiply your scaled MBE score by .35, multiply your scaled written score by .65 and add these two products together. The total is your total scaled score on the examination.

If you took the Attorneys' Examination: Your total scaled score is equal to your written scaled score.

JULY 2003 ESSAY AND PERFORMANCE TEST SUBJECT COVERAGE

<u>Question #</u>	<u>Subject</u>	<u>Tasks</u>
1.	Corporations	PT-A Opinion letter to client regarding child custody issues.
2.	Remedies	
3.	Evidence	
4.	Torts	PT-B Objective memorandum regarding enforceability of land installment contract and remedies for breach of same.
5.	Professional Responsibility	
6.	Wills and Succession	

The above indicates the fields of law of the main problems in each question. The questions, however, often contain points in other fields, too. The questions are not labeled in the examination itself.

PERCENTILE EQUIVALENTS

An assessment of the performance of July 2003 examinees is available to unsuccessful applicants by accessing the State Bar's Home Page through the Internet (www.calbar.ca.gov) or upon request from the State Bar's Office of Admissions.

RECONSIDERATION

The Committee believes that its grading and administrative systems afford each applicant a full and fair opportunity to take the examination and a fair and careful consideration of all his or her examination answers on the bar examination and that no useful purpose would be served by further consideration by the Committee.

For this reason, the Committee will entertain requests for reconsideration only when an applicant establishes that one of the following resulted in failure or prevented the examination from being reappraised:

1. an arithmetical error in the calculation of the total written score from the final grades assigned to the written questions or in the calculation of the total MBE score; or
2. a clerical error.

The Committee will not extend reconsideration based on challenges to its grading system or the judgments of its professional graders.

INSPECTION OF EXAMINATION PAPERS

MBE: Unsuccessful applicants are permitted to review their Multistate Bar Examination (MBE) answer sheets and compare them to the MBE answer keys in the Office of Admissions nearest to the location where they took the examination. Review of MBE questions by unsuccessful applicants is no longer permitted. You should call the Office of Admissions nearest the location at which you took the examination to make an appointment. Reviews are limited to one (1), one-hour session for each unsuccessful applicant. The review sessions will be conducted in a proctored, secure environment with a limited number of applicants in each session. Inspection of MBE answer sheets is permitted during a period of four months following the release of results from the examination.

ESSAY AND PERFORMANCE TEST: Requests for return of your original essay answers and performance test answers will be honored from December 15, 2003 through April 15, 2004. The original answers may be picked up at the State Bar's Office of Admissions nearest the location at which you took the examination, or you may request that they be sent to you by certified mail, return receipt requested. Complete the form, which is the last page of this document, and bring it with you; or have it notarized and send it with a check for \$10.00, payable to the State Bar of California, to the Office of Admissions nearest the location at which you took the examination. If you intend to pick up your answers from the San Francisco Office of Admissions, you must call the day before you intend to do so. Arrangements will be made so you can pick them up at the office on the intended day either between 10:00 a.m. - 11:00 a.m. or 2:00 p.m. - 3:00 p.m.

You may request copies of your essay answers and performance test answers instead of originals. Complete the form which is the last page of this document. Specify "copies." Bring the form with you and a check for \$40.00, or have it notarized and send it with a check for \$40.00 to the Office of Admissions nearest the location at which you took the examination. Requests of this nature will require additional time to process and will be mailed to you.

PRACTICAL TRAINING OF LAW STUDENTS — Termination of Certification

Certification under the *Rules Governing the Practical Training of Law Students* is terminated when an applicant is unsuccessful on or fails to take the first General Bar Examination for which he/she is eligible.

TRANSFER OF MBE SCORES TO OTHER JURISDICTIONS

Arrangements have been made with the National Conference of Bar Examiners (NCBE) to have that organization communicate MBE scores to Bar Examiners or admitting authorities in other jurisdictions upon **written** request. If you wish to have another jurisdiction notified of your California MBE score, you should make a **written** request to MBE Score Transfer Department, Operations/82, P. O. Box 168, Iowa City, IA 52243-0168. Please do not telephone. Provide the examination date (month and year), location (state), social security number and jurisdiction to which you wish the score mailed. The Conference requires a fee of \$25.00 for each transfer, search or request for verification or advisement of an MBE score. Checks should be made payable to the National Conference of Bar Examiners.

BAR EXAMINATION STUDY AIDS

The Committee has received numerous requests to provide materials that might be of assistance to applicants in determining what the Committee desires in answers to bar examination questions. In response, the Committee produces "Selected Answers", which are actual examination answers from a particular administration of the examination that were considered passing. Essay questions, performance tests and Selected Answers for the past several administrations of the California Bar Examination are available free of charge on the State Bar of California's website at www.calbar.ca.gov under Bar Exam/Examinations. Selected Answers from the July 2003 administration are expected to be available online in mid-December.

A limited supply of booklets with the Selected Answers from the February 2002, July 2002, February 2003 and in mid-December, the July 2003 administrations of the examination are available upon written request and payment of the required amount(s) as follows:

Essay Questions and Selected Answers – \$5.00

Performance Questions and Selected Answers – \$8.00

If materials will be sent to a jurisdiction outside of the United States, include an additional \$5.00 for postage. All sales are final.

The National Conference of Bar Examiners also publishes past Multistate Bar Examination (MBE) questions as study aids. Copies of the study aids related to the MBE can be ordered through its website at www.ncbex.org.

APPLICATION TO TAKE THE FEBRUARY 2004 CALIFORNIA BAR EXAMINATION

Application forms and instructions to take the February 2004 California Bar Examination are not included with the unsuccessful packets, but are available through the State Bar's website at www.calbar.ca.gov. You are encouraged to file your application online, but you may also download the form and instructions through the website, or you may request a copy from either the San Francisco or Los Angeles Office of Admissions. The timely filing deadline for unsuccessful applicants from the July 2003 California Bar Examination is **December 9, 2003**. Applications may be filed after that date, but a late fee is required. The final filing deadline for the February 2004 examination is **January 15, 2004**.

**REQUEST FOR RELEASE OF ESSAY AND PERFORMANCE TEST ANSWERS FOR THE
JULY 2003 GENERAL BAR EXAMINATION AND ATTORNEYS' EXAMINATION**

INSTRUCTIONS: COMMENCING DECEMBER 15, 2003 THROUGH APRIL 15, 2004 IF YOU WISH:

1. **To pick up your answers** in person, complete this form and take it to the Office of Admissions nearest the location at which you took the examination. If you intend to pick up your answers from the San Francisco Office of Admissions, you must call the day before you intend to do so. Arrangements will be made so you can pick them up at the office on the intended day between a certain time period. **Photo identification, i.e. drivers license or passport, is required.**
2. **To have another person pick up your answers**, that person must be in possession of a notarized copy of this form or possess your power of attorney. If using a power of attorney, this form must be completed and a copy of the power of attorney attached.
3. **To have your answers mailed** to you, complete this form, have it notarized, enclose a check for \$10.00, and mail it to the office nearest the location at which you took the examination.
4. **To obtain copies of your answers**, complete this form. Specify copies. Take this form with you and a check for \$40.00, or have it notarized and send it with a check for \$40.00 to the Office of Admissions nearest the location at which you took the examination. Requests of this nature require additional time to process and will be mailed to you within three to four weeks.

1149 South Hill Street
Los Angeles, CA 90015-2299

180 Howard Street
OR San Francisco, CA 94105-1639

Name

Registration (Social Security) Number: _____

Address

Applicant Number: _____

Phone #

Code Number: _____
(The above numbers are indicated on your result letter.)

* * * * *

BY MAIL: I hereby request that the Office of Admissions mail my **July 2003** examination answers to me. I understand that the Office of Admissions will send my answers certified mail, return receipt requested; however, by my signature I assume the risk of loss in mail.

☐ Original: \$10.00 ☐ Copies: \$40.00

If I choose to take custody of my original examination answer books (instead of copies thereof), I understand that I am waiving any rereading or re-evaluation of said answer books for purposes of any appeals, petitions, or requests for reconsideration concerning the grading process which have been or may be filed on my behalf.

Signature

Notary: State of _____, County of _____. On this _____ day of _____, in the year _____, before me, _____, a notary public, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he or she executed the same.

Notary Signature

* * * * *

IN PERSON: I hereby acknowledge receipt of my **July 2003** examination answers: ☐
I hereby request **copies** of my **July 2003** examination answers instead of originals: ☐ \$40.00.

If I choose to take custody of my original examination answer books (instead of copies thereof), I understand that I am waiving any rereading or re-evaluation of said answer books for purposes of any appeals, petitions, or requests for reconsideration concerning the grading process which have been or may be filed on my behalf.

Date

Signature

Identification Clerk